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15 *Attorneys for Federal Defendants*

16 UNITED STATES DISTRICT COURT  
17 SOUTHERN DISTRICT OF CALIFORNIA  
18 SAN DIEGO DIVISION

19 WHITEWATER DRAW NATURAL  
20 RESOURCE CONSERVATION  
21 DISTRICT, *et al.*,

22 Plaintiffs,

23 v.

24 KIRSTJEN M. NIELSEN, *et al.*,

25 Federal Defendants.

**Case No. 3:16-cv-2583**

**FEDERAL DEFENDANTS' NOTICE  
OF LODGING OF  
ADMINISTRATIVE RECORDS**

Hon. H. James Lorenz

1 Federal Defendants, by their undersigned counsel, hereby give notice of the filing  
2 of the administrative records in the above captioned case. The records are extremely  
3 voluminous and are therefore being submitted for manual filing on a single flash drive.  
4 The administrative records will be shipped on this date for over-night delivery to the  
5 clerk's office at the United States District Court for the Southern District of California  
6 and to counsel for Plaintiffs, Julie Axelrod.  
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8  
9 As detailed below, each record is separately certified and indexed. All  
10 certifications and indexes are attached.

11 **1. Administrative Record for the final rule entitled International Entrepreneur**  
12 **Rule, 82 Fed. Reg. 5238 (Jan. 2017) ("IER Record")**

13 The IER record consists of 13,836 pages, bates numbered IER00001–IER13836,  
14 and is located in the folder named "AR\_IER." This record is certified by DHS employee  
15 Kevin Cummings. Mr. Cummings's certification and an index to the IER Record is  
16 attached hereto as Exhibit 1.  
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19 **2. Administrative Record for the final rule entitled Retention of EB-1, EB-2, and**  
20 **EB-3 Immigrant Workers and Program Improvements Affecting High-Skilled**  
21 **Nonimmigrant Workers, 81, Fed. Reg. 82398 (Jan. 17, 2017) ("AC21 Record")**

22 The AC21 Record consists of two volumes, both located in the folder named  
23 "AR\_AC21." Volume I consists of 4,466 pages, bates numbered AC00001—AC04466.  
24 Volume II consists of approximately 27,970 public comments on the rule submitted to  
25 DHS and identified by individual Document ID numbers. This record is certified by  
26 DHS employee Kevin Cummings. Mr. Cummings's certification and indexes to both  
27  
28

1 volumes of the record are attached hereto as Exhibit 2.

2 **3. Administrative Record for the final rule entitled Adjustments to Limitations**  
3 **on Designated School Official Assignments and Study by F-2 and M-2**  
4 **Nonimmigrants, 80 Fed. Reg. 23,680 (Apr. 29, 2015) (“DSO Record”)**

5 The DSO record consists of 512 pages, bates numbered DSO00001-DSO00512,  
6 and is located in the folder named “AR\_DSO.” This record is certified by DHS  
7 employee Sara Shaw. Ms. Shaw’s certification and an index to the record is attached  
8 hereto as Exhibit 3.  
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10 **4. Administrative Record for the final rule entitled Improving and Expanding**  
11 **Training Opportunities for F-1 Nonimmigrant Students with STEM Degrees**  
12 **and Cap-Gap Relief for All Eligible F-1 Students, 81 Fed. Reg. 13039 (Mar.**  
13 **11, 2016) (“STEM Record”)**

14 The STEM Record consists of three volumes. Volume I and II are located on the  
15 flash drive in a folder named “AR\_STEM OPT.” Volume I consists of 17,779 pages,  
16 bates numbered STEM000001—STEM017779. Volume II consists of approximately  
17 855 public comments on the 2008 interim final rule identified by individual Document ID  
18 numbers. Volume III consists of approximately 50,425 public comments on the 2015  
19 proposed rule identified by individual Document ID numbers. The comments in Volume  
20 III are available on request. All three volumes of the STEM Record are certified by DHS  
21 employee Sara Shaw. Ms. Shaw’s declaration and indexes to the three volumes of the  
22 record are attached hereto as Exhibit 4.  
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1 **5. Administrative Record for the 2014 Revisions to DHS National**  
2 **Environmental Policy Act Procedures (“DIR Record”)**

3 The DIR Record consists of 464 pages, bates numbered DIR00001–DIR00464, and  
4 is located in the folder named “AR\_NEPA Directive and Instruction.” This record is  
5 certified by DHS employee Jennifer D. Hass. Ms. Hass’s certification and an index to the  
6 DIR Record is attached hereto as Exhibit 5.  
7

8 **6. Administrative Record for the 2014 Programmatic Environmental**  
9 **Assessment (EA) and Finding of No Significant Impact (FONSI) for the**  
10 **“Response to the Influx of Unaccompanied Alien Children” and Supplemental**  
11 **EA and FONSI for the Housing of Family Units at the South Texas Family**  
12 **Residential Center, Dilley, TX (“UAC Record”).**

13 The UAC Record consists of 1,818 pages, bates numbered UAC00001–  
14 UAC01818, and is located in the folder named “AR\_UAC.” This record is certified by  
15 DHS employee Teresa Pohlman. Dr. Pohlman’s certification and the index to the UAC  
16 Record are attached hereto as Exhibit 6.  
17

18 Respectfully submitted,

19 DATED: March 14, 2019

20 JEAN E. WILLIAMS  
21 Deputy Assistant Attorney General

22 /s/ Barclay T. Samford  
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